

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:12CR391
)	
vs.)	ORDER
)	
JOHN WAYS, JR.,)	
FRANK FIROZ,)	
CHRISTIAN FIROZ,)	
RHONDA DECAMP,)	
CONSTANCE HAGELSTEIN,)	
JOSHUA WELLBORN,)	
ALAN DAVIS,)	
MARK COONEY,)	
MICHAEL BLACKSTONE,)	
DAVID ROBERTS,)	
)	
Defendants.)	

This matter is before the court on the motion for a Rule 17.1 conference by defendant John Ways, Jr. (Ways) (Filing No. 135). Ways' counsel represents that all counsel in the case concur in scheduling such a pretrial conference. The motion will be granted.

IT IS ORDERED:

1. Ways' motion for a Rule 17.1 conference (Filing No. 135) is granted.
2. A conference pursuant to Fed. R. Crim. P. 17.1 will be held in this case in Courtroom No. 7, Second Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, **at 10:00 a.m. on April 4, 2013**. All counsel or their representatives, are required to attend with counsels' calendars and be prepared to schedule all events in this case on counsels' calendars. Since this will be a scheduling conference, defendants are not required to be present.
3. The ends of justice have been served by scheduling such a conference and outweigh the interests of the public and the defendants in a speedy trial. The additional **time** arising as a result of the scheduling of the Fed. R. Crim. P. 17.1 conference, i.e., the time between **March 27, 2013, and April 4, 2013**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that

defendants' counsel require additional time to review the discovery materials, determine if any pretrial motions should be filed, and adequately prepare the case for trial. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

Dated this 27th day of March, 2013.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge